

## § 84.665

that receives an award directly from a Federal agency.

(Authority: E.O.s 12549 and 12689; 20 U.S.C. 1082, 1094, 1221e-3 and 3474; and Sec. 2455, Pub. L. 103-355, 108 Stat. 3243 at 3327.)

## § 84.665 State.

*State* means any of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

(Authority: E.O.s 12549 and 12689; 20 U.S.C. 1082, 1094, 1221e-3 and 3474; and Sec. 2455, Pub. L. 103-355, 108 Stat. 3243 at 3327.)

## § 84.670 Suspension.

*Suspension* means an action taken by a Federal agency that immediately prohibits a recipient from participating in Federal Government procurement contracts and covered nonprocurement transactions for a temporary period, pending completion of an investigation and any judicial or administrative proceedings that may ensue. A recipient so prohibited is suspended, in accordance with the Federal Acquisition Regulation for procurement contracts (48 CFR part 9, subpart 9.4) and the common rule, Government-wide Debarment and Suspension (Nonprocurement), that implements Executive Order 12549 and Executive Order 12689. Suspension of a recipient is a distinct and separate action from suspension of an award or suspension of payments under an award.

(Authority: E.O.s 12549 and 12689; 20 U.S.C. 1082, 1094, 1221e-3 and 3474; and Sec. 2455, Pub. L. 103-355, 108 Stat. 3243 at 3327.)

## PART 85—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Sec.

85.25 How is this part organized?

85.50 How is this part written?

85.75 Do terms in this part have special meanings?

### Subpart A—General

85.100 What does this part do?

85.105 Does this part apply to me?

85.110 What is the purpose of the nonprocurement debarment and suspension system?

## 34 CFR Subtitle A (7-1-05 Edition)

85.115 How does an exclusion restrict a person's involvement in covered transactions?

85.120 May we grant an exception to let an excluded person participate in a covered transaction?

85.125 Does an exclusion under the nonprocurement system affect a person's eligibility for Federal procurement contracts?

85.130 Does exclusion under the Federal procurement system affect a person's eligibility to participate in nonprocurement transactions?

85.135 May the Department of Education exclude a person who is not currently participating in a nonprocurement transaction?

85.140 How do I know if a person is excluded?

85.145 Does this part address persons who are disqualified, as well as those who are excluded from nonprocurement transactions?

### Subpart B—Covered Transactions

85.200 What is a covered transaction?

85.205 Why is it important to know if a particular transaction is a covered transaction?

85.210 Which nonprocurement transactions are covered transactions?

85.215 Which nonprocurement transactions are not covered transactions?

85.220 Are any procurement contracts included as covered transactions?

85.225 How do I know if a transaction in which I may participate is a covered transaction?

### Subpart C—Responsibilities of Participants Regarding Transactions

#### DOING BUSINESS WITH OTHER PERSONS

85.300 What must I do before I enter into a covered transaction with another person at the next lower tier?

85.305 May I enter into a covered transaction with an excluded or disqualified person?

85.310 What must I do if a Federal agency excludes a person with whom I am already doing business in a covered transaction?

85.315 May I use the services of an excluded person as a principal under a covered transaction?

85.320 Must I verify that principals of my covered transactions are eligible to participate?

85.325 What happens if I do business with an excluded person in a covered transaction?

85.330 What requirements must I pass down to persons at lower tiers with whom I intend to do business?